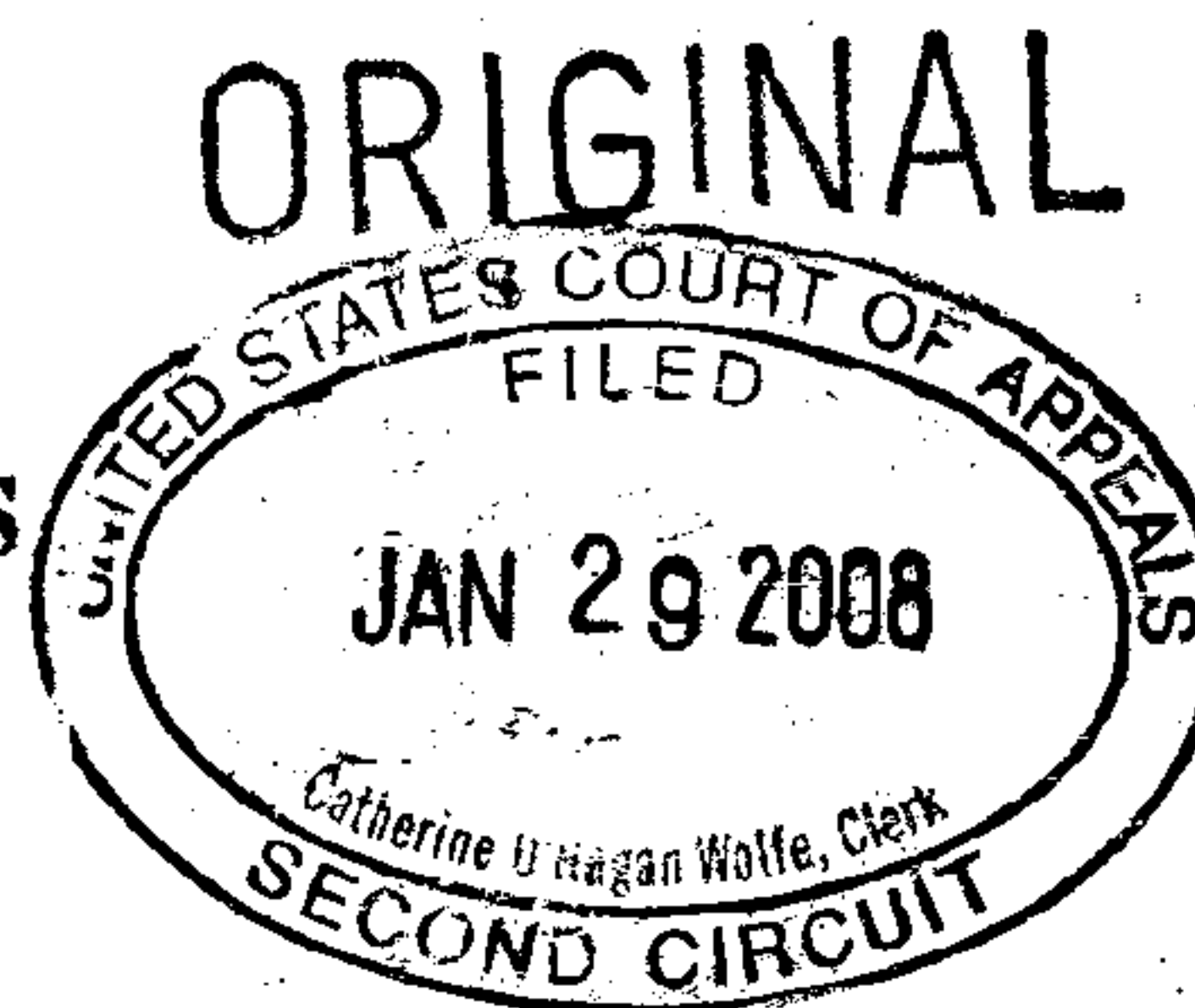


MANDATE

APPEAL NO. 06-3981
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

ANTHONY SANGUINO, MARIA SANGUINO



-v-

BAIN'S AUTOMOTIVE, INC., doing business as
Bain's Exxon Qwik Mart,

*Defendant-Third-Party-Plaintiff-Cross-Claimant-
Cross-Defendant-Appellant,.*

EXXONMOBIL CORPORATION, JANE DOES, JANE DOES, INC.,

Defendants-Cross-Defendants-Appellants,

WILLOW CONTRACTING, INC.,

Third-Party-Defendant-Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

STIPULATION TO WITHDRAW APPEAL

The parties to this action stipulate that the appeal taken in this case by means of the notice of appeal filed by Exxon Mobil Corporation on August 23, 2006 is withdrawn.

The parties agree and represent that:

1. The appeal in this action was docketed in this Court on August 23, 3006.

Certified:

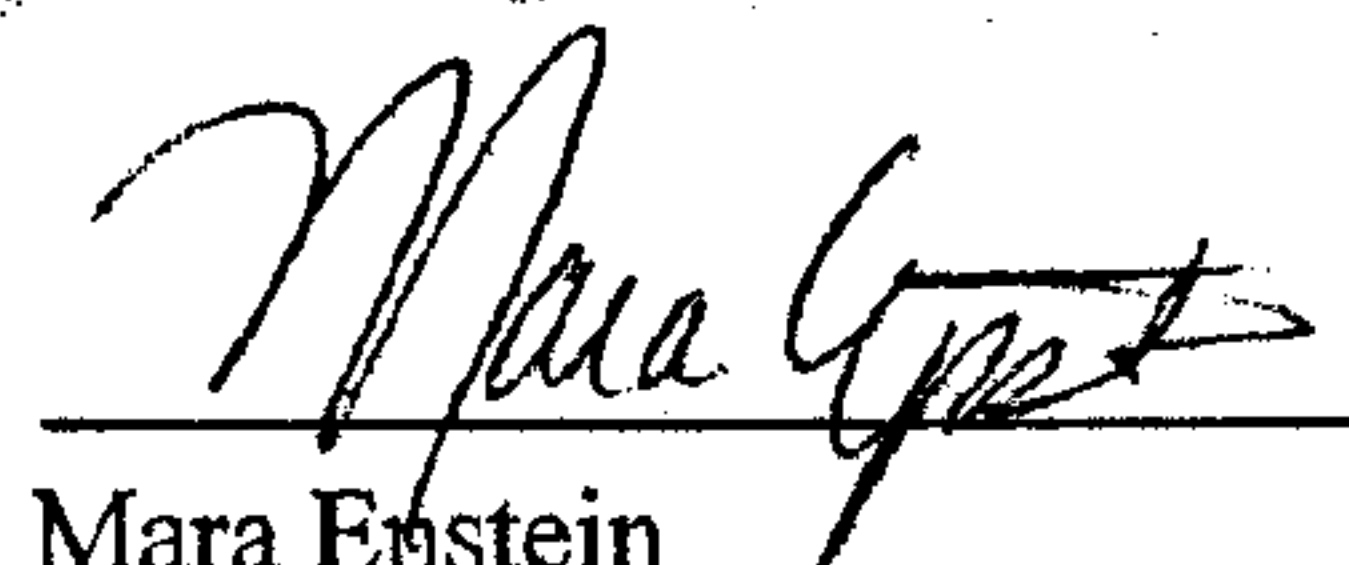
1/30/08

2. That the underlying action pending in the United States District Court for the Southern District of New York was remanded to the Superior Court of New Jersey, Law Division, Morris County by Order to Remand dated August 3, 2007.

3. Counsel, whose signatures appear on this stipulation, have the express authority of their clients to enter into this stipulation to withdraw the appeal in this action on the terms stated herein with prejudice.

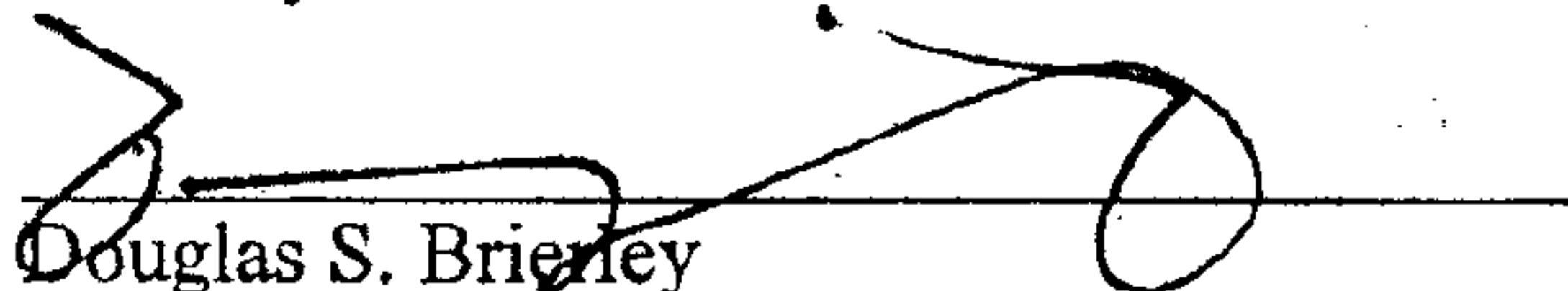
4. The parties agree that each party shall bear its own costs on appeal.

Dated November 7, 2007



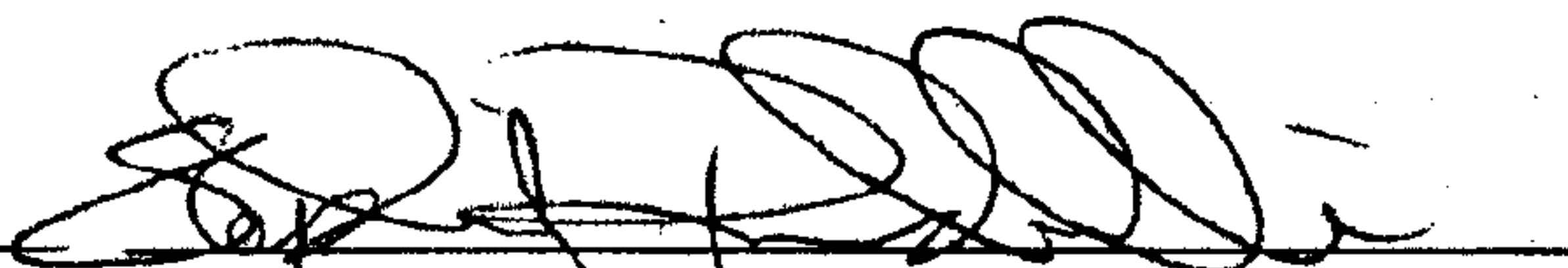
Mara Epstein
Stuart Lieberman
Lieberman & Blecher, P.C.
10 Jefferson Plaza
Suite 100
Princeton, NJ 08540
(732) 355-1311

Attorneys for Plaintiffs



Douglas S. Brierley
Schenck, Price, Smith & King
10 Washington Street
P.O. Box 905
Morristown, New Jersey 07963
(973) 539-1000

Attorneys for Bain's Automotive, Inc.



Peter John Sacripanti
James A. Pardo
Stephen J. Riccardulli
McDERMOTT WILL & EMERY LLP
340 Madison Avenue
New York, New York 10173
(212) 547-5400

Attorneys for Exxon Mobil Corporation

As Ordered

FOR THE COURT

Catherine O'Hagan Wolfe, Clerk of Court

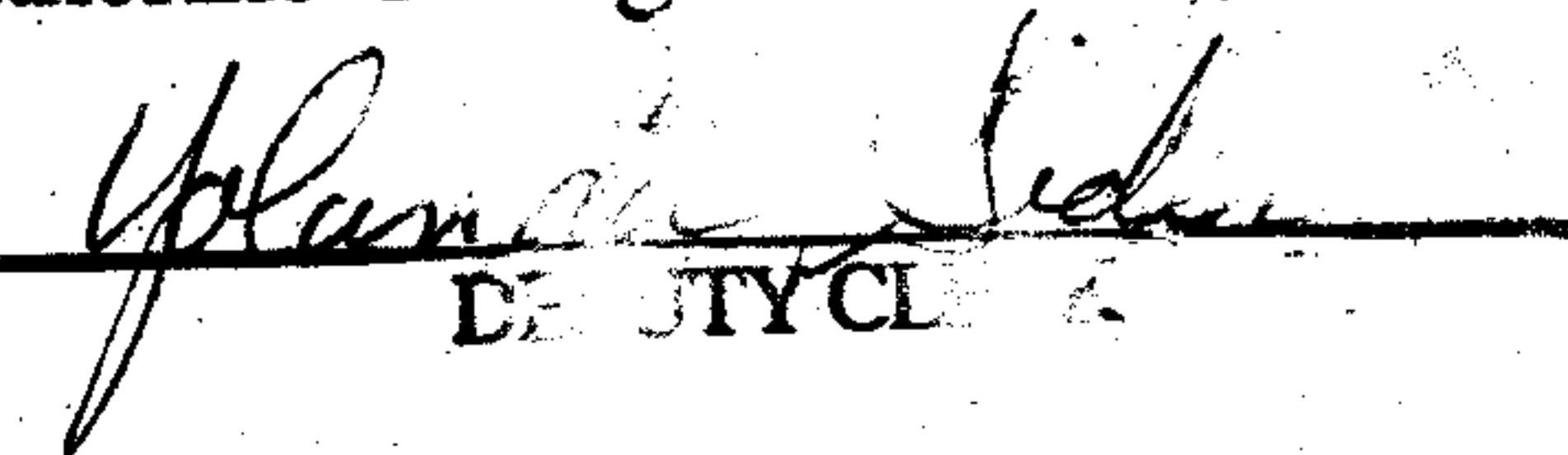
By


Lisa J. Greenberg, Staff Counsel

A TRUE COPY

Catherine O'Hagan Wolfe, Clerk

by


Catherine O'Hagan Wolfe, Clerk